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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/696,497	10/29/2003	David Elberbaum	ELBX 20.678 (100792-00062)	5743
26304	7590	01/28/2008	EXAMINER	
KATTEN MUCHIN ROSENMAN LLP			HASAN, SYED Y	
575 MADISON AVENUE			ART UNIT	PAPER NUMBER
NEW YORK, NY 10022-2585			2621	
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			01/28/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/696,497

Applicant(s)

ELBERBAUM, DAVID

Examiner

Syed Y. Hasan

Art Unit

2621

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 October 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 - 113 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) _____ is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☒ Claim(s) 1 - 113 are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--------------------------------------------------------------------------------------|-------------------------------------------------------------------|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Election/Restrictions

1. Restriction to one of the following inventions is required under 35 U.S.C. 121:

I. Claims 1 - 16 and 51 - 71 are drawn to a method and apparatus for synchronously recording and playing back a plurality of video signal including the feature of "external synchronizing signal generator circuit means for feeding external synchronizing signals to said switching means and to said plurality of transmitting means through a transmission line", and claims 34 - 50 and 93 - 113 are drawn to a method and apparatus for non-synchronized recording and synchronously playing back a plurality of video signal including the feature of "external sync generator for generating external sync signal and said digital recorders include each an external synchronizing receiving circuit for applying said external sync signal to a signal processing circuit" classified in class 386, subclass 66.

II. Claims 17 - 33 and 72 - 92 are drawn to a method and apparatus for time base corrected recording and synchronously playing back a plurality of non-externally synchronized said video transmitters including the feature of " external sync generator for generating an external sync signal and said digital recorders include each a circuit for applying said external sync signal to a signal processing circuit and to a time base correcting circuit, each said digital recorder includes said time base correcting circuit for correcting the synchronizing signals portion of said video signal ", classified in class 386, subclass 13.

2. The inventions are distinct, each from the other because of the following reasons:

The two groups of inventions are useable apart from each other and have unique specific structures not required of the other, and can therefore be separately useable as distinct inventions. For example, the method and apparatus for processing and recording a plurality of video signal including the feature of " external synchronizing signal generator circuit means for feeding external synchronizing signals to said switching means and to said plurality of transmitting means through a transmission line as recited in claim 1 of Group I " and "external sync generator for generating external sync signal and said digital recorders include each an external synchronizing receiving circuit for applying said external sync signal to a signal processing circuit" as recited in claim 34 of Group I, do not require the feature of " external sync generator for generating an external sync signal and said digital recorders include each a circuit for applying said external sync signal to a signal processing circuit and to a time base correcting circuit, each said digital recorder includes said time base correcting circuit for correcting the synchronizing signals portion of said video signal " recited in claim 17 of Group II.

Moreover, the method and apparatus for processing and recording a plurality of video signal including the feature of "external sync generator for generating an external sync signal and said digital recorders include each a circuit for applying said external sync signal to a signal processing circuit and to a time base correcting circuit, each said digital recorder includes said time base correcting circuit for correcting the synchronizing signals portion of said video signal " recited in claim 17 of Group II does

not require the feature of " external synchronizing signal generator circuit means for feeding external synchronizing signals to said switching means and to said plurality of transmitting means through a transmission line as recited in claim 1 of Group I " and "external sync generator for generating external sync signal and said digital recorders include each an external synchronizing receiving circuit for applying said external sync signal to a signal processing circuit" as recited in claim 34 of Group I

3. Because these inventions are distinct for the reasons given above and the search required for one Group is not required for the other, and have acquired a separate status in the art and because of their recognized divergent subject matter restriction for examination purposes as indicated is proper.

4. Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).

Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Syed Y. Hasan whose telephone number is 571-270-1082. The examiner can normally be reached on 9/8/5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thai Tran can be reached on 571-272-7382. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

S.Y.H.

01/19/2008


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